

REMARKS

The courtesy of Examiner Callie Shosho in conducting an interview with the undersigned on 6 December 2006 is acknowledged with appreciation. The Interview Summary which issued at the interview accurately reflects what transpired as amplified below.

In the interview, Applicant discussed with the Examiner re-insertion of the method claims, which had been canceled by the Amendment of 17 November 2006. In accordance with this discussion, original claims 1-13 have now been re-inserted as new claims 68-80 and the remaining claims have been grouped as new claims 81-110 without any change (or with only formal change) in their recitations, as follows:

- 1) Independent claim 1 + Dependent claims 7-13 correspond to new claims 68-75;
- 2) Independent claim 2 + Dependent claims 3-6 correspond to new claims 76-80;
- 3) Independent claim 15 + Dependent claims 56-61 correspond to new claims 81-87;
- 4) Independent claim 16 + Dependent claims 62-67 correspond to new claims 88-94;
- 5) Independent claim 40 + Dependent claims 41-47 correspond to new claims 95-102;

and

- 6) Independent claim 48 + Dependent claims 49-55 correspond to new claims 103-110.

In the interview, Applicant explained to the Examiner that in the formation of a micro-encapsulated pigment as shown in Figs. 1 and 2 of the drawings, the microencapsulated pigment particles are liable to become large which poses a problem for dispersion stability, ejection stability and print density as discussed in the specification in the paragraph bridging pages 33-34. The inventor discovered, surprisingly, that the size of the particles could be controlled by using a wet

pigment rather than a dry pigment. Applicant explained that this is surprising since in either case (wet or dry), the pigment is being incorporated into an aqueous dispersion such that it would not be expected that the water content of the pigment would make a difference.

Applicant further explained that there is no question of anticipation by the cited art because as discussed in the Amendment filed 17 November 2006, the pigments to which the Examiner points in the Official Action are not necessarily wet pigments and indeed likely are not. The Examiner agreed with this and also agreed to withdraw the 102 rejections as indicated in the Interview Summary. Nevertheless, she contended that it would have been obvious from the secondary reference, Bauer, for one of skill in the art to use wet pigments instead of dry pigments in any of the primary references in view of the motivation provided in paragraph [0064] of the reference.

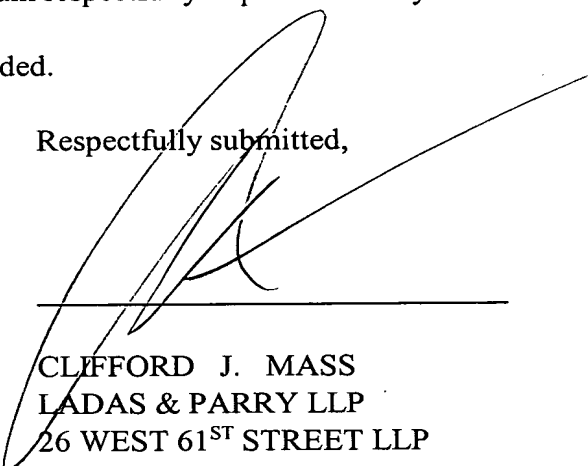
The Examiner suggested the possibility of overcoming the 103 rejections on the basis of unexpected results with the recited wet pigments by side-by-side comparison between wet and dry pigments. However, Applicant called the Examiner's attention to the dependent claims with limitations relating to the water content of the wet pigment and the particle size of the microencapsulated particles and contended that Applicant overcomes the 103 rejections at least on the basis of such limitations without the presentation of any additional evidence. In this respect, Applicant pointed out that Bauer does not contain any indication of the water content of the "water-wet presscake" described therein.

In addition to the above, Applicant respectfully notes that the earliest 102(e) date to which Bauer could even arguably be entitled (September 8, 2003) is **after** the filing date of Applicant's priority applications filed 29 August 2003 and 21 February 2003. Although Applicant respectfully

submits that the argumentation previously submitted, and presented at the interview and above, is sufficient to overcome the rejections, Applicant reserves the right to submit English translations of the subject priority applications if necessary to overcome any rejections not overcome by Applicant's argumentation that rely on Bauer, either as an evidentiary reference (see paragraphs 6-8 of the Official Action) or as a secondary reference (see paragraphs 12-15 of the Official Action).

In view of the above, Applicant again respectfully requests an early and favorable reconsideration of the application as amended.

Respectfully submitted,



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